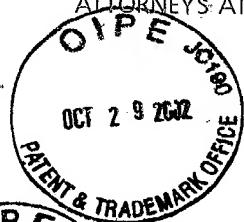




**Sterne Kessler  
Goldstein Fox**

ATTORNEYS AT LAW



Commissioner for Patents  
Washington, D.C. 20231

Robert Greene Sterne  
Edward J. Kessler  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michele A. Cimbala  
Michael B. Ray  
Robert E. Sokohl  
Eric K. Steffe  
Michael Q. Lee  
Steven R. Ludwig  
John M. Covert  
Linda E. Alcorn  
Robert C. Millonig  
Lawrence B. Bugalsky  
Donald J. Featherstone  
Michael V. Messinger

Judith U. Kim  
Timothy J. Shea, Jr.  
Patrick E. Garrett  
Jeffrey T. Helvey\*  
Heidi L. Kraus  
Crystal D. Sayles  
Edward W. Yee  
Albert L. Ferro\*  
Donald R. Banowitz  
Peter A. Jackman  
Molly A. McCall  
Teresa U. Medler  
Jeffrey S. Weaver  
Kendrick P. Patterson  
Vincent L. Capuano  
Albert J. Fasulo II\*  
Eldora Ellison Floyd  
W. Russell Swindell

Thomas C. Fiala  
Brian J. Del Buono  
Virgil Lee Beaston\*  
Reginald D. Lucas\*  
Kimberly J. Reddick  
Theodore A. Wood  
Elizabeth J. Haanes  
Bruce E. Chalker  
Joseph S. Ostroff  
Frank R. Cottingham  
Christine M. Huller  
Rae Lynn Pengainen\*  
Jane Shershenovich\*  
Lawrence J. Carroll\*  
George S. Bardmessier  
Daniel A. Klien\*  
Rodney G. Maze  
Jason D. Eisenberg  
Michael A. Specht\*

Registered Patent Agents\*  
Karen R. Markowicz  
Andrea J. Kamage  
Nancy J. Leith  
Ann E. Summerfield  
Helene C. Carlson  
Gaby L. Longsworth  
Matthew J. Dowd  
Aaron L. Schwartz  
Angelique G. Uy  
Boris A. Matvenko  
Mary B. Tung  
Katrina Y. Pei  
Bryan L. Skelton  
Robert A. Schwartzman  
John J. Figueroa  
Timothy A. Doyle  
Jennifer R. Mahalingappa

Senior Counsel  
Samuel L. Fox  
Kenneth C. Bass  
Lisa A. Dunner

\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Admitted only in Texas  
•Practice Limited to  
Federal Agencies

October 29, 2002

RECEIVED

NOV 01 2002

TECH CENTER 1600/2900

Art Unit 1634

WRITER'S DIRECT NUMBER:

(202) 371-2615

INTERNET ADDRESS:

FRANKC@SKGF.COM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Amendment and Reply Under 37 C.F.R. § 1.111;
3. First Supplemental Information Disclosure Statement;
4. Listing of the cited documents on Form PTO-1449 (1 sheet);
5. A copy of each of the two (2) cited documents on Form PTO-1449;
6. Our check no. 37166 in the amount of \$180.00 to cover the fee under 37 C.F.R. § 1.17(p); and
7. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are

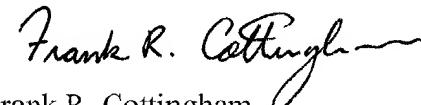
Commissioner for Patents  
October 29, 2002  
Page 2

necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham  
Attorney for Applicants  
Registration No. 50,437

FRC/pcd  
Enclosures

::ODMA\MHODMA\SKGF\_DC1;68676;1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$180.00)

Complete if Known

Application Number	09/697,079
Filing Date	October 27, 2000
First Named Inventor	Donna K. Fox
Examiner Name	Johannsen, D.
Group Art Unit	1634
Attorney Docket No.	0942.4460002/RWE/BJD/FRC

Method of Payment (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036  
Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other\*  
\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370 Utility filing fee
106	330	206	165 Design filing fee
107	510	207	255 Plant filing fee
108	740	208	370 Reissue filing fee
114	160	214	80 Provisional filing fee
<b>SUBTOTAL (1) (\$)</b>			<b>180.00</b>

### 2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid	
Total Claims - 20** =	X =		
Indep. Claims - 3** =	X =		
Multiple Dependent	=		
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	
103	18	203	9 Claims in excess of 20
102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim
108	84	209	42 **Reissue independent claims over original patent
110	18	210	9 **Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		<b>180.00</b>	

\*\* or number previously paid, if greater. For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65 Surcharge - late filing fee or oath		
127	50	227	25 Surcharge - late provisional filing fee or cover sheet		
139	130	139	130 Non-English specification		
147	2,520	147	2,520 For filing a request for ex parte reexamination		
112	920*	112	920* Requesting publication of SIR prior to Examiner action		
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action		
115	110	215	55 Extension for reply within first month		
116	400	216	200 Extension for reply within second month		
117	920	217	460 Extension for reply within third month		
118	1,440	218	720 Extension for reply within fourth month		
128	1,960	228	980 Extension for reply within fifth month		
119	320	219	160 Notice of Appeal		
120	320	220	160 Filing a brief in support of an appeal		
121	280	221	140 Request for oral hearing		
138	1,510	138	1,510 Petition to institute a public use proceeding		
140	110	240	55 Petition to revive - unavoidable		
141	1,280	241	640 Petition to revive - unintentional		
142	1,280	242	640 Utility issue fee (or reissue)		
143	460	243	230 Design issue fee		
144	620	244	310 Plant issue fee		
122	130	122	130 Petitions to the Commissioner		
123	130	123	130 Petitions related to provisional applications		
126	180	126	180 Submission of Information Disclosure Stmt		180.00
581	40	481	40 Recording each patent assignment per property (times number of properties)		
146	740	246	370 Filing a submission after final rejection (37 CFR 1.129(a))		
149	740	249	370 For each additional invention to be examined (37 CFR 1.129(b))		
179	740	279	370 Request for Continued Examination (RCE)		
169	900	169	900 Request for expedited examination of a design application		
Other fee (specify):					
Other fee (specify):					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

Complete (if applicable)

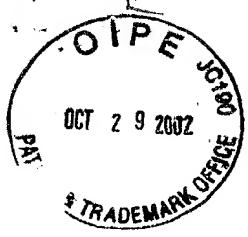
### SUBMITTED BY

Name (Print/Type)	Frank R. Cottingham	Registration No. (Attorney/Agent)	50,437	Telephone	202-371-2600
Signature	Frank R. Cottingham			Date	OCT. 29, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND #68682v1&lt;SKGF\_DC1&gt; -Amend &amp; Reply - IDS\_feesht.wpd

RECEIVED



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

NOV 01 2002

RECEIVED

In re application of:

FOX *et al.*

Appl. No. 09/697,079

Filed: October 27, 2000

For: **Methods and Compositions for  
Cloning Nucleic Acid Molecules**

Confirmation No.: 7547

Art Unit: 1634

Examiner: Johannsen, D.

Atty. Docket: 0942.4460002/RWE/BJD/FRC

15/D  
CD  
11/6/02

**Amendment And Reply Under 37 C.F.R. § 1.111**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Office Action dated **July 31, 2002**, (PTO Prosecution File Wrapper Paper No. 14), Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments. 37 C.F.R. § 1.121 and MPEP 714; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R.

§ 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

***Amendments***

***In the Claims:***

Please cancel claims 46-48 without prejudice or disclaimer.

Please substitute the following claim 45 for the pending claim 45:

D1  
45. (Thrice amended) A composition comprising one or more restriction endonucleases and one or more polymerase inhibitors, wherein said one or more polymerase inhibitors are selected from the group consisting of: an antibiotic, a heavy metal, an acid, a nucleotide analogue, an anionic detergent, a polyanion, captan ((N-[trichloromethyl]-thio)-4-cyclohexene-1,2-dicarboximide), an acidic polysaccharide, a binding protein or peptide, and combinations thereof; wherein said composition does not contain any nucleic acid molecules.

Please add the following claims:

D2  
53. (New) A composition comprising one or more restriction endonucleases and one or more polymerase inhibitors, wherein said one or more polymerase inhibitors are one or more antibodies or fragments thereof, and wherein said composition does not contain any nucleic acid molecules.